THE HON'BLE SRI JUSTICE P.S.NARAYANA

WRIT PETITION NO.12898 of 2006

DATED: 27.06.2006

Between:
Kandregula Simhachalam Naidu
and two others. .. PETITIONERS

versus

Municipal Commissioner, Greater
Visakhapatnam Municipal Corporation,
Administrative Building, Near R.T.C.
Complex, Visakhapatnam and four
others. .. RESPONDENTS

WRIT PETITION NO.12898 of 2006

ORDER:

Heard the learned counsel.

2. The Writ Petition is filed for a Writ of Mandamus declaring the action of the respondents in marking the houses and shops of the petitioners having assessment Nos.3241, 1793 and 3491 to demolish for the purpose of road widening in Pendurthi village and Mandal, Visakhapatnam District as illegal and arbitrary and consequently direct the respondents to follow due process of law by acquiring the land either by land acquisition or by consent and taking into consideration the center point and the Government land available on the eastern side opposite to the petitioners houses and pass such other suitable orders.

3. The petitioners in the affidavit filed in support of the Writ Petition had narrated several factual details. The main grievance of the petitioners is that the respondents are proposing to proceed with the demolition activity without following due process of law.

4. It is needless to say that the respondents are bound to follow the procedure as per law before taking up any demolition activity. In view of the same, the Writ Petition is disposed with a direction to the respondents not to proceed with demolition activity relating to the subject matter of the Writ Petition except by due process of law. No costs.

27.06.2006

SSR
Issue order copy tomorrow.
(BO)